

1 Jerry L. Marks (SBN 135395)
2 Email: jmarks@milbank.com
3 Aaron Renenger (SBN 222675)
4 Email: arenenger@milbank.com
5 MILBANK, TWEED, HADLEY & McCLOY LLP
6 601 S. Figueroa Street, 30th Floor
7 Los Angeles, California 90017
8 Telephone: (213) 892-4000
9 Facsimile: (213) 629-5063

7 David R. Gelfand (*admitted pro hac vice*)
8 Email: dgelfand@milbank.com
9 Rachel Penski Fissell (*admitted pro hac vice*)
10 Email: rfissell@milbank.com
11 MILBANK, TWEED, HADLEY & McCLOY LLP
12 1 Chase Manhattan Plaza
13 New York, NY 10005
14 Telephone: (212) 530-5000
15 Facsimile: (212) 822-5661
16 *Attorneys for Defendants STA Development, LLC,*
17 *Solar Trust of America, LLC, Solar Millennium, Inc.,*
18 *CA I-10 Solar, LLC, Palo Verde Solar I, LLC,*
19 *Palo Verde Solar II, LLC, Blythe Solar Power Project*
20 *Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,*
21 *Blythe Solar Power Project Unit 3, LLC and*
22 *Blythe Solar Power Project Unit 4, LLC*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

19 MMR GROUP, INC.,
20 MMR POWER SOLUTIONS, LLC and
21 SOUTHWESTERN POWER GROUP II, LLC,
22 Plaintiffs,

23 vs.

23 STA DEVELOPMENT, LLC (F/K/A SOLAR
24 MILLENNIUM, LLC), SOLAR TRUST OF
25 AMERICA, LLC, SOLAR MILLENNIUM AG,
26 SOLAR MILLENNIUM, INC., CA I-10 SOLAR, LLC,
27 PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR
28 II, LLC, BLYTHE SOLAR POWER PROJECT UNIT 1,
LLC, BLYTHE SOLAR POWER PROJECT UNIT 2,
LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC
AND BLYTHE SOLAR POWER PROJECT UNIT 4, LLC
Defendants.

Case No. 3:11-cv-01521-EMC

**TENTH STIPULATION TO
EXTEND DEFENDANTS'
TIME TO RESPOND TO
AMENDED COMPLAINT
AND [PROPOSED] ORDER**

**The Honorable Judge
Edward M. Chen**

1 Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and
 2 SOUTHWESTERN POWER GROUP II, LLC (collectively, “MMR”) and Defendants STA
 3 DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,
 4 CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,
 5 BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT
 6 UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR
 7 POWER PROJECT UNIT 4, LLC (collectively, the “STAD Defendants”) respectfully request
 8 that the Court extend the time for the STAD Defendants to respond to the Amended Complaint,
 9 filed on October 4, 2011 (ECF No. 102) and served on the STAD Defendants on October 7, 2011,
 10 by two weeks from February 21, 2012 to March 6, 2012.

11 On November 4th and 14th, the parties requested, and this Court later granted, a one-week
 12 extension of time for the STAD Defendants to respond to the Amended Complaint because the
 13 parties were in advanced stages of settlement discussions. On November 22nd, December 1st,
 14 December 27th, January 10th, January 20th, and February 3rd, the parties requested, and this Court
 15 later granted, extensions of two weeks due to continued progress in settlement negotiations.

16 In December 2011, Solar Millennium AG – parent company of the STAD Defendants –
 17 filed for bankruptcy in Germany. This has complicated the extensive settlement discussions
 18 between Plaintiffs and STAD Defendants, which involve a deal with a third-party purchaser of
 19 STA Development, LLC’s assets. Despite these complications, the parties remain optimistic that
 20 a settlement is on the horizon and that they will execute a settlement agreement forthwith. Due to
 21 the continued progress in reaching a settlement, the parties request a two-week extension of the
 22 time for the STAD Defendants to respond to the Amended Complaint. The parties’ request will
 23 have a *de minimis*, if any, impact on the schedule. In the interests of judicial economy, the parties
 24 therefore request that the Court extend the STAD Defendants’ time to respond to the Amended
 25 Complaint by two weeks from February 21, 2012 to March 6, 2012.

1 Dated: February 21, 2012

MILBANK, TWEED, HADLEY & McCLOY LLP

2 By: /s/ Aaron Renenger

3 Jerry L. Marks (SBN 135395)
4 Aaron Renenger (SBN 222675)
5 601 S. Figueroa Street, 30th Floor
6 Los Angeles, California 90017
7 Telephone: (213) 892-4000
8 Facsimile: (213) 629-5063

9 David R. Gelfand (*admitted pro hac vice*)
10 Rachel Penski Fissell (*admitted pro hac vice*)
11 1 Chase Manhattan Plaza
12 New York, NY 10005
13 Telephone: (212) 530-5000
14 Facsimile: (212) 822-5661

15 *Attorneys for Defendants STA Development, LLC,*
16 *Solar Trust of America, LLC, Solar Millennium, Inc.,*
17 *CA I-10 Solar, LLC, Palo Verde Solar I, LLC,*
18 *Palo Verde Solar II, LLC, Blythe Solar Power Project*
19 *Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,*
20 *Blythe Solar Power Project Unit 3, LLC and Blythe Solar*
21 *Power Project Unit 4, LLC*

22 Dated: February 21, 2012

WATT, TIEDER, HOFFAR & FITZGERALD, LLP

23 By: /s/ Nicholas A. Merrell

24 Bennett J. Lee (CA Bar No. 230482)
25 Nicholas A. Merrell (CA Bar No. 240795)
26 Regina A. Verducci (CA Bar No. 264996)
27 333 Bush Street, Suite 1500
28 San Francisco, CA 94104
Telephone: 415-623-7000
Facsimile: 415-623-7001

Attorneys for Plaintiffs MMR Group, Inc., MMR Power
Solutions, LLC and Southwestern Power Group II, LLC

29 PURSUANT TO STIPULATION, IT IS SO ORDERED.

30 Dated: _____

UNITED STATES DISTRICT JUDGE